

EXHIBIT 3

RICHARD ROGERS vs BNSF RAILWAY COMPANY

30(b)(6)

Timothy Ash on 12/09/2020

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1 QUESTIONS BY MR. GERBIE:

2 Q. Mr. Ash, what services do you perform
3 for BNSF in Illinois?

4 A. The service is called intelligent gate
5 operation. It is a service in which we process
6 trucks moving through their checkpoint.

7 Q. Moving through whose checkpoint?

8 A. BNSF Railway's checkpoint at four
9 terminals.

10 Q. Can you please identify those terminals?

11 A. Cicero, Corwith, Willow Springs,
12 Logistics Park Chicago is the fourth.

13 These services are two categories. It's
14 all wrapped under one, but it is a clerical-based
15 operations where we assist drivers, use what's
16 called an AGS, automated gate system, to come in
17 and out of the facility. So that's the clerical
18 to assist the drivers and the base transaction
19 things to ensure information is correct. Things
20 like what is the identification of the container?
21 What is hazardous placard material? Assuring that
22 every single individual coming into the terminal,
23 we have positive validation for security purpose.

24 So that's what they do.

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1 Q. Yes.

2 A. If -- they're asked to -- they're asked
3 to put their fingerprint on the -- sorry. They're
4 asked to put their finger on the biometric reader
5 to validate they are who they are, as if they are
6 a registered driver. If they are not a registered

7 driver, it bypasses that step, because why ask a
8 question that the system doesn't have data for?

9 So I'll go down the scenario of it's a
10 registered driver, they put their finger on the
11 fingerprint scanner. If it is a positive match,
12 they proceed to the next step. If we have another
13 scenario like I mentioned with the glove --
14 because I've seen that myself -- then it will cue
15 to a clerk. The clerk gets involved. They
16 validate through the image that they are who they
17 should be.

18 So that is the driver identification
19 process.

20 Next step is --

21 Q. Well, I want to stop you there and ask a
22 couple follow-up questions.

23 A. Okay.

24 Q. When you say if they're not a registered

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1 just so we have it to look at it before we start
2 taking questions about it.

3 MR. GERBIE: Sure.

4 QUESTIONS BY MR. GERBIE:

5 Q. Before we get to that document, Mr. Ash,
6 I want to talk to you a little bit more about the
7 information we just discussed related to the
8 information that's stored locally at each
9 facility.

10 My understanding is that at some point,
11 Remprex -- scratch that.

12 My understanding is that at some point,
13 there was an endeavor to create a central database
14 of all drivers who visited BNSF's facilities so
15 that they wouldn't have to register their
16 fingerprints at each individual BNSF facility that
17 they visited; is that correct?

18 MR. WILSON: Objection to the form of
19 the question.

20 You may answer.

21 A. Correct.

22 QUESTIONS BY MR. GERBIE:

23 Q. Can you explain why?

24 A. The reasoning behind that is when a new

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1 system is stood up, there are drivers that visit
2 each terminal. Not every driver, some drivers
3 visit each terminal. So the process would be
4 to -- we talked about it before. They go in, they
5 go to the DAB and all that stuff. But then when
6 they go to a terminal down the street that is also
7 a BNSF terminal, to expedite that process, we
8 could bypass the registration bypass -- sorry --
9 bypass the registration process and use that
10 original registration to positively confirm that a
11 driver is who he or she says they are.

12 Q. Was Remprex able to successfully
13 implement a central biometrics database?

14 MR. WILSON: Objection to the form of
15 the question.

16 A. For what it's worth, it's a driver
17 registration database because it includes more
18 information than biometrics. But, yes, you're
19 able to get into production a centralized system
20 for the registration process.

21 QUESTIONS BY MR. GERBIE:

22 Q. Just a brief follow-up.

23 Is the drivers -- excuse me.

24 Is the driver registration database the